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## LIBERTY OF CONSCIENCE.

ÉMILE BOUTROUX.<sup>1</sup>

THERE is one lesson that clearly results from the trial through which we are passing: the necessity of extirpating from our society, religious intolerance, that scourge so productive of barren strife. Not only is it too evident that, in attacking people's consciences we divert towards imaginary or inaccessible objects, forces which might effectively be employed in opposing palpable evils, forces which our country claims for the defence of its very existence, but events have proved that Frenchmen, in presence of a common duty and in spite of the barriers which politics has endeavoured to set up between them, are spontaneously united in thought, heart and will. Who could persuade a soldier who is also a free-thinker that he should feel less love than he does to his captain, under the plea that this latter is an ecclesiastic? And does the believer enquire as to the opinions of this comrade who will perish unless he comes to his aid? How could these men, who with like faith and self-sacrifice have given themselves up to their ideal and their country, consent, once peace is restored, to come from the lofty heights of enthusiasm into that arena of individual ambition and passion where power and rule are the only things of which men think?

But, in order that a thing may be realised, it is not enough that it is in the highest degree desirable or even desired. If there are real difficulties in the way, these may always check the most generous desires. And so we may usefully examine the problem. The will is by no means weakened by union with the reason, rather is it all the more powerful because exercised with a keener vision into reality.

The struggles dealing with liberty of conscience offer a strange assemblage of noble or legitimate claims and un-

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<sup>1</sup> Authorised translation by Fred Rothwell.

worthy intrigues, and we are greatly tempted to take up in detail the historical sequence of facts, to think of what would have happened if, at any particular time, some other line of conduct had been adopted. The effort of liberty of conscience to be denizenized within human societies is one of the essential facts of the world history. What does the name of Socrates stand for if not the claim of the right to think and teach in conformity with what is believed to be the truth? What are religion, philosophy and science but the triple command to cultivate the rights of the ideal, of reason and experience?

Now, the appearance of conscience in human society naturally occasions great struggles and difficulties. Conscience is an inspiration whose origin is inapprehensible and it is possessed of something absolute and imperative in its nature. On the other hand, the man in whom it awakens is no isolated being, like Crusoe on his island; he belongs to a human community which has its own traditions, beliefs and laws.

The individual whose conscience is awakened naturally aspires to express his thoughts in speech and action. But if, as may be the case, his words and deeds do not accord with the maxims recognised in his community, the latter will naturally be inclined to become uneasy and mistrustful. If the individual who claims his liberty of conscience refuses to act along the lines of the rest, evidently he does harm to the community. If he obeys in body but reserves his liberty of soul, he still injures the community, because devotion is necessarily less whole-hearted when purely exterior than when it proceeds from the intellect and the affections.

Thus liberty of conscience, through the influence it is bound to exercise on the conduct of the individual, necessarily interests the organised community; and this latter is at once disposed to solve the problem by permitting the individual to find, in the ideas received by the community itself, the principles of his own personal beliefs.

Again, even if conscience were to create within itself a

life apart, and to refrain from expressing its thoughts by public deeds; the liberty it claims would still meet with contradictions. The beliefs of conscience necessarily depend upon truth. Apart from individual consciences, however, are there not established symbols and forms of truth? What right has an individual to continue to hold thoughts opposed to recognised truths?

Thus we find Socrates put on his trial, not only on the charge of compromising the security of the state by his outer acts and the instruction he gave to youth, but also on that of nourishing, in the secret of his conscience, beliefs opposed to the official teachings: *e.g.*, his belief in the warnings of divine intervention.

In our days, it is not only traditional beliefs but science itself as built upon experiences and reason, that many minds contrast with liberty of belief. Is there any room, we are asked, for liberty of conscience, in mathematics, physics and chemistry? In proportion as science takes possession of any one domain of reality, it drives out imagination and simple belief. When science holds the principles of all reality, *i.e.*, both of the moral and of the physical world, liberty of conscience will have had its day, for it can be accepted with some appearance of legitimacy only when truth is but imperfectly known. And, in the mind of some of these apostles of science, the principles necessary to explain all things are now fully established, so that nowhere can liberty of conscience be any longer tolerated.

Very real and serious then is the conflict between liberty of conscience and the external powers. What means have been employed to end this conflict?

The simplest and the one of most ancient standing is persecution. He who possesses or thinks he possesses force, does not doubt but that he will succeed in suppressing unpleasant beliefs either by constraining or by destroying his opponents.

The advent of conscience in man, however, represents the appearance of a wholly spiritual power, which is deter-

mined by reasons that cannot be reduced to force; such as the ideas of truth, justice, duty. The greatest force, therefore, breaks before the most disarmed conscience. Socrates, without defending himself, calmly drinks the hemlock; and his thought enters forever into the substance of the human mind. Christianity penetrates men's souls with prodigious rapidity and might, not only in spite of, but thanks to, persecution. In modern times, the Puritans, persecuted in England, founded the United States. The revocation of the Edict of Nantes raised against France the most bitter hatred and ill-will abroad.

How comes it about that, after such striking lessons, men have not ceased to employ force, constraint, material means, against conscience?

Manifestly, at first, beliefs are expressed in external acts, against which force believes itself victoriously armed. Again, subtle minds distinguish beliefs according to the degree of vigour and vitality they attribute to them. They admit that profound beliefs cannot easily be destroyed by force. But if a belief is no more than a survival, to use a popular expression, a passive habit devoid of living faith, they think it legitimate to admit that such a belief will fall before the powerful organisation set up against it.

Moreover, certain present psychological doctrines, recommended by imposing names, tend to prove that constraint, cleverly employed, is not so powerless to modify belief as one is wont to declare. Our ideas and beliefs, according to these doctrines, are in the final analysis no more than our deeds and habits expressed by conscience in its own language. Hence our attachment to our beliefs and ideas is really no more than that force of inertia which makes us continue in our mode of life. If what one believes is but the expression of what one does, force may indirectly act upon belief, for it can impose acts and impress habits.

Whatever credit this theory may have enjoyed, it has not triumphed over the classic doctrine of the autonomy and originality of conscience. They are not mistaken who regard belief as a principle which cannot be reduced to

external life and consider that acts inspired by serious beliefs are more difficult to repress than purely mechanical acts.

Now, in the emancipation of conscience there dwells a form of existence superior to the mechanism of matter or to the impersonal tendencies of animal colonies. If then it were possible arbitrarily to train the conscience and change a person into a thing, such a task would be odious, it would mean the triumph of the inferior over the superior. Aristotle's God is truth and good: he leaves force to matter. God, says Christianity, is essentially love and sacrifice. Would not the restoration of force to supreme rank and the subjection thereto of conscience mean blotting out the work of Hellenism and Christianity from the history of mankind?

Whatever influence force may exercise over belief, he who regards moral excellence and human dignity as realities will unhesitatingly condemn its use against liberty of conscience.

Besides, force does not solve the problems in which conscience is engaged. Hence the use of a second method: compromise. If liberty of conscience is, *per se*, an idea, an ideal object, those who claim it do not of necessity limit themselves to the use of spiritual means. They also have recourse to force, engaging in material strife with their opponents. These wars too are followed by treaties of peace.

However artificial may seem the use of formulas and compromises in assuring liberty of mind, this means is in conformity with human habits and is of undoubted practical value. A contract has always been an effective instrument of reconciliation. Inspired by a true spirit of justice, frankly accepted on both sides and loyally put into practice, a concordat may peacefully settle relations as delicate as those of the state with religious communities.

A régime simply created by events appears something contingent and provisional. However skilfully forms were made out, they responded to the difficulties of an epoch;

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there is no guarantee that they would satisfy the needs of later periods.

The words of the Gospel have often been repeated: Render unto Cæsar the things that are Cæsar's, and unto God the things that are God's. Was not this a realisation of the great precept that a radical distinction must be made between the rights of the state and those of conscience? For the state, material power, the making of laws, responsibility for public order and national security; for conscience, liberty of thought, reflecting on the nature of things and on human destiny and holding to the ideal it regards as truest and noblest. If each of these two rivals is really itself, regulating its activity by its own principle, no conflict between them is possible, for they could never again meet. The one lives in the outer world of force, politics, national solidarity, the other uses outer things only to create for itself an invisible world, inaccessible to natural forces, where it holds communion with pure spirit, the ideal, God.

The state and conscience, it is thought, are both entirely free and apart from each other, just as the infinitude of space in no way encroaches upon the infinitude of spirit.

A seductive theory, though no more than a practical expedient. Is it not evident that two persons who cannot endure each other will cease fighting if they never again happen to find themselves together?

Applied, however, to the relation between political organisation and conscience, such a comparison does not hold. To suppose a world of conscience wholly independent of the external world is to substitute artificial logical concepts for veritable realities. This radical distinction between the temporal and the spiritual has no better scientific than historical foundation. Man is a whole whose elements are mutually inseparable. Neither body nor soul can be separated, nor does conscience exist apart. Every real idea is also the beginning of an external action; every strictly human action is the manifestation of an idea.

This condition is found in the activity proper either to the state or to conscience, as regards morals or religion. The state represents force. How can we help desiring that it should be used in the realisation of the truest and loftiest ideas, measuring the greatness of its duties by the extent of its powers? Conscience is the domain of liberty. Would this liberty be aught else than an individual's vain mental state and barren enjoyment did it not tend to effort, and, when necessary, to strife, in modifying the world according to the ideal it conceives?

We must courageously face the truth. As regards the relationship between the political community and human conscience, all real and lasting peace is impossible, unless, amid all differences in principle and point of view, human beings have mutual understanding and esteem. The classic maxim is constantly being repeated: *Quid leges sine moribus?* Now or never is the time to apply it. Laws, undoubtedly, are capable of exercising profound influence upon morals; it is by no means a matter of indifference that they should outstrip morals if the latter fail to correct themselves.

In examining these questions, it is impossible to keep to purely political or legal considerations. It is necessary to ask oneself if consciences which regard truth and justice as laws can really come to consider religious beliefs as absurd and baleful, or at least as useless and devoid of foundation.

Now, if we closely examine the objections raised against religious beliefs in the name of reason and science, we find that they refer to conceptions of religion and science which are neither adequate nor legitimate. There is a contradiction between a science which regards the material element of things as the true reality, the essence of all that is, and a religion which denies to creatures any existence and value of their own. Science, however, may follow out as far as possible its mechanical explanation of things without, therefore, maintaining that mechanism is the first and sole principle of being. And religion may show God present and acting in all that is without denying to creatures true



existence and action. "God," said Pascal, "willed to endow his creatures with the dignity of casuality."

Thus religion is not opposed to the fact that beings should possess a certain nature, capable of being studied in itself. And science admits that the world of facts in which it moves is connected with a world of true causes, which eludes its mode of investigation.

Nor can it be without advantage to religion to know exactly and profoundly, by means of science, the nature of the given world. Science too, as it ascends the scale of beings, encounters regions where matter is more and more impregnated with spirit, where the real seems to be increasingly determined by the ideal.

If then religion and science, so far as they consider each other only from without, may be led to mistrust each other or even to regard each other as irreconcilable enemies, on the other hand when they endeavour to understand and know each other in spirit and in truth, they see that their coexistence is natural and necessary and that they can and ought to render mutual services.

The minimum of mutual human obligations is what is called tolerance. In every manifestation of conscience, there is occasion to consider conscience itself, the reality and dignity of which are set beyond doubt by the most exact science. To oppress conscience is to wish to lower humanity, to snap the link binding it to the ideal, to separate it from the principle of truth, justice and beauty.

But is it enough that men should tolerate and bear with one another? Such a doctrine was repulsive to Mirabeau who said: "The very word tolerance seems tyrannical in a way, since the existence of the authority which has power to tolerate is an attempt upon liberty of thought, from the very fact that it tolerates and so has the power not to tolerate." This remark is quite true. In reality, man's conscience is something more than a possibility to strive after truth and goodness. As Plato pointed out, we seek only that whereof we possess at least some idea, germ or rudiment. "Be of good comfort," said the Saviour to

Pascal, "thou would'st not seek me had'st thou not found me." The reason why conscience aspires after the true and the good is that in its very nature are found some beginnings of science and justice. For this reason, consciences owe one another respect as well as tolerance. Conscience, that secret and living communion with the ideal, is essentially the power to confront material force by obeying moral laws: this very character confers on it a positive dignity and makes it something sacred, to every intelligent being.

Nor does respect, in its turn, exhaust the whole of our duty towards the conscience of our fellow-men. The one quality which man, when attempting to conceive of God, is necessarily led to attribute to Him, is infinity in perfection. No man, then, however great his intelligence, can compass the divine nature, for the finite cannot contain the infinite. The diversity of mankind, however, enables the human race, in a measure, to ponder and fathom these various aspects of divine perfection. Thus mankind, as a whole, profiting by its natural richness and fecundity, may tend to realise more and more fully that resemblance to divinity which is its end. And so, to each of our brothers in humanity, a collaborator like ourselves,—differently perhaps from ourselves,—in divine providence, we owe not only tolerance and respect, but also sympathy and friendship. "Love one another," all morality which falls short of that is a failure.

Though insoluble so long as each of the two parties nourishes a secret scorn for the other, the problem of the relations between established power and liberty of conscience becomes simplified if every man is able to find the substratum of truth in the beliefs he does not share. Though divided in the expressions and forms of their faith in the ideal, men who are eager to fulfil to the end their destiny as human beings are united in the inmost aspirations of the conscience. Let them build upon this common basis, become imbued with their mutual duty of respect and sympathy as well as of tolerance, and legal

arrangements, rendered supple or capable of extension if necessary, will readily be interpreted and applied along the lines of liberty.

To recognise liberty of thought without granting men the slightest right to manifest and translate this liberty into action would be to misinterpret the unity of human nature and the meaning and value of thought itself. Not only the individual but society is interested in the external realisation of thought. The tasks to perform in our modern societies become increasingly numerous and complicated; the state neither can nor ought to claim to accomplish them all, of itself alone. Undoubtedly its influence is more than ever necessary in times of public danger, when co-ordination of effort is particularly indispensable. Nor can it be admitted that individuals or associations, under the pretext of maintaining their liberty, should adopt the "dog in the manger" attitude. All alike, state, individual or association; believer and free-thinker, should devote their special powers to the task of making human society ever more keenly enamoured of truth and justice.

Amongst the manifestations of social activity, beneficence and instruction more particularly could not be the object of a monopoly. The former is based on brotherhood and is a matter of the heart as well as of the mind, of devotion as well as of organisation. Instruction also deals with the soul as well as with the intellect. Xenophon, the disciple of Socrates, was wont to say that if a master cannot inspire love he is incapable of imparting true instruction to his pupils. Science and literature, art and morals cannot be confiscated by any one, they form the common possession of every member of a human society.

As regards religion especially, since it is essentially an education of heart and conscience, with a tendency to free man from his natural passions, to civilise him, in the highest sense of the word, it is right that the state should loyally guarantee its free practice and the conditions of its existence.

Cordial collaboration on the part of all who are devoted to virtue and to their country, however different their beliefs; such is the duty our reason dictates. This too will be the blessing left to us by the immense sacrifices, the deeds of truest devotion and the superhuman efforts made in common, without respect of rank or opinion, by all the children of France.

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